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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/889,453	07/13/2001	Reuven Weintraub	079/02255	2930
44909	7590	02/22/2005	EXAMINER	
FENSTER & COMPANY INTELLECTUAL PROPERTY 2002 LTD. C/O REED SMITH LLP 599 LEXINGTON AVENUE, 29TH FLOOR NEW YORK, NY 10022-7650			WU, JINGGE	
			ART UNIT	PAPER NUMBER
			2623	
DATE MAILED: 02/22/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/889,453	WEINTRAUB ET AL.	
Examiner	<b>Art Unit</b>		
Jingge Wu	2623		

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)  Responsive to communication(s) filed on 23 September 2004.

2a)  This action is **FINAL**.                            2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## **Disposition of Claims**

4)  Claim(s) 1-67 is/are pending in the application.  
4a) Of the above claim(s) 46-52 and 65-67 is/are withdrawn from consideration.

5)  Claim(s) 1-40 and 53-64 is/are allowed.

6)  Claim(s) 41 and 43-45 is/are rejected.

7)  Claim(s) 42 is/are objected to.

8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on \_\_\_\_\_ is/are: a)  accepted or b)  objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All    b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1)  Notice of References Cited (PTO-892)
- 2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3)  Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date .

4)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_ .

5)  Notice of Informal Patent Application (PTO-152)

6)  Other: \_\_\_\_ .

***DETAILED ACTION***

Applicant's election without traverse of species III in paper No. 5 is acknowledged. Claims 53-63 and 64 depend from claims 1 and 34, respectively. Accordingly, claims 1-45, 53-64 are now presented for prosecution. Claims 45-52 and 65-67 are withdrawn from consideration.

***Information Disclosure Statement***

The information disclosure statement filed July 13, 2001 fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each cited foreign patent document; each non-patent literature publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed. It has been placed in the application file, but the information referred to therein has not been considered. The only copy provided is reference 5. The Examiner found the copies of the references of 1-3 (foreign patents) but can not obtain the reference 4, a non-patent literature .

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless ~

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 41, 43-44 are rejected under 35 U.S.C. 102(e) as being anticipated by US 5881180 to Chang et al.

As to claim 41, Chang discloses a method for recovering an image defined as a function of image coordinates in an image space from compressed data that is a function of transform coordinates in a transform space the method comprising:

- a) using said data to generate a first set of recovered transform coefficients in said transform space (fig.2b 210);
- b) determining an adjustment range for at least one recovered transform coefficient (col. 3 lines 47-67);
- c) replacing said at least one recovered transform coefficient by a value in said adjustment range responsive to recovered transform coefficients in a neighborhood (block)comprising less than all of said recovered transform coefficients of said at least one recovered transform coefficient (low frequency coefficients), to generate an adjusted set of recovered transform coefficients (col. 3 lines 47-67); and
- d) recovering said image by transforming said adjusted set of recovered transform coefficients to said image space (col. 4 lines 1-24).

As to claim 43, Chang discloses determining an adjusting range with upper limit (e.g.  $X+q/2$ ) and lower limit (e.g.  $X-q/2$ ) for at least a coefficient Y. Other limitations are addressed with regard to claim 41.

As claim 44, Chang discloses replacing at least one transform coefficient (low frequency coefficient) with a value in the range responsive to recovered coefficient using a second set of related compressed data to generate an adjusted set of recovered transform coefficient (a set of low frequency coefficients) (col. 3 lines 47-67). Other limitations are addressed with regard to claim 41.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 45 is rejected under 35 U.S.C. 103(a) as being unpatentable over Chang.

As to claim 45, Chang does not mention color components adjusting.

Examiner takes Official Notice that first and second compressed data are generated from different color component of a color image is notoriously well known in the art.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to use color compression with blocking artifact removing in the method of Chang in order to obtain a better color image.

***Allowable Subject Matter***

Claim 42 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim 1 is allowed. Claims 2-40, 53-64 depend from claim 1, therefore, are allowed.

***Contact Information***

Any inquiry concerning this communication or earlier communications should be directed to Jingge Wu whose telephone number is (703) 308-9588. He can normally be reached Monday through Thursday from 8:00 am to 5:30 pm. The examiner can be also reached on second alternate Fridays.

Any inquiry of a general nature or relating to the status of this application should be directed to TC customer service whose telephone number is (703) 306-0377.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Amelia Au, can be reached at (703) 308-6604.

The Working Group Fax number is (703) 872-9314.

Jingge Wu

Primary Patent Examiner

